

**BEFORE THE TENNESSEE REGULATORY AUTHORITY AT**

**NASHVILLE, TENNESSEE**

October 17, 2001

<b>IN RE:</b>	)	
	)	
<b>APPROVAL OF THE AMENDMENTS TO THE</b>	)	<b>DOCKET NO. 01-00632</b>
<b>INTERCONNECTION AGREEMENT NEGOTIATED</b>	)	
<b>BY BELL SOUTH TELECOMMUNICATIONS, INC.</b>	)	
<b>AND BIRCH TELECOM OF THE SOUTH, INC.</b>	)	
<b>PURSUANT TO SECTIONS 251 AND 252 OF THE</b>	)	
<b>TELECOMMUNICATIONS ACT OF 1996</b>	)	

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**ORDER APPROVING AMENDMENTS TO THE INTERCONNECTION AGREEMENT**

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This matter came before the Tennessee Regulatory Authority (the "Authority") upon the Petition for approval of the Amendments to the Interconnection Agreement negotiated by and between BellSouth Telecommunications, Inc. and Birch Telecom of the South, Inc. The Petition for approval of the Amendments came before the Authority pursuant to 47 U.S.C. §§ 251 and 252.

The original Interconnection Agreement was filed with the Authority on March 20, 2001, Docket No. 01-00074. The Agreement was approved at a regularly scheduled Authority Conference held on March 20, 2001.

The Amendments were filed on July 19, 2001, and were considered at a regularly scheduled Authority Conference held on September 25, 2001, in Nashville, Tennessee before Chairman Sara Kyle, Director H. Lynn Greer, Jr., and Director Melvin J. Malone. The Authority has jurisdiction over public utilities pursuant to Tenn. Code Ann. § 65-4-104 *et seq.* Based upon the Petition, the record in this matter, and the standards for review set forth in 47 U.S.C. §§ 251

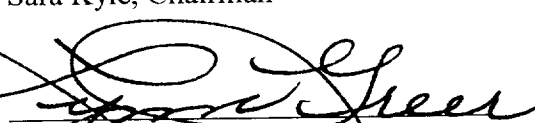
and 252, the Directors unanimously approved the Amendments and made the following findings and conclusions:

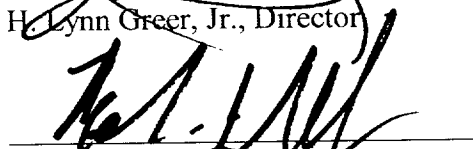
- 1) The Amendments are in the public interest as they provide consumers with alternative sources of telecommunications services within BellSouth Telecommunications, Inc.'s service area;
- 2) The Amendments are not discriminatory to telecommunications service providers that are not parties thereto;
- 3) No party has sought intervention in this docket;
- 4) Approval of the Amendments is consistent with previous Authority decisions and orders; and
- 5) The Amendments are reviewable by the Authority pursuant to 47 U.S.C. §§ 251 and 252 and Tenn. Code Ann. § 65-4-104 *et seq.*

**IT IS THEREFORE ORDERED THAT:**

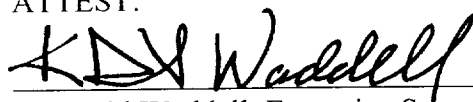
The Amendments to the Interconnection Agreement negotiated between BellSouth Telecommunications, Inc. and Birch Telecom of the South, Inc. are approved and are subject to the review of the Authority as provided herein.

  
Sara Kyle, Chairman

  
H. Lynn Greer, Jr., Director

  
Melvin J. Malone, Director

ATTEST:

  
K. David Waddell, Executive Secretary